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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ludger DINKELBORG et al.

Examiner: Karen A. Canella

Serial No.: 09/988,008

Group Art Unit: 1642

Filed: November 16, 2001

Title: USE OF ENDOTHELIN CONJUGATES IN THERAPY, NEW ENDOTHELIN CONJUGATES, SUBSTANCES CONTAINING THEM, AND PROCESSES FOR PRODUCING THEM

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop: Non-Fee Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement dated June 25, 2004, Applicants hereby elect with traverse Group 1, claims 1-3 and 5-24 drawn to compounds and use of compounds of the formula comprising a 'Cys-Ser-Ser-Leu-Met-Asp-Lys-Glu-Cys' motif within a cyclic peptide.

All the claims in the application involve related subject matter, e.g., cyclic peptides that bind to endothelin receptors. A search would therefore comprise overlapping subject matter, and it would not be an undue burden on the examiner to carry out a search. "If search and examination of an entire application can be made without serious burden, the examiner *must* examine it on the merits, even though it includes claims to independent or distinct invention." (Emphasis added.) M.P.E.P. 803. Accordingly, withdrawal of the restriction is respectfully requested.

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No fee is believed to be due with this response, however, the Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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